S.B.Criminal Misc. Bail (Interim) No.5783/2006

(Abdul Gaffar vs. State of Rajasthan)

Date of order : December 19, 2006

HON'BLE MR.H.R.PANWAR,J.

Mr.Vijay Rajpurohit, for the petitioner.
Mr.Vishal Raj Mehta, P.P.

Heard learned counsel for the parties.

Bail application under section 439 Cr.P.C. before the Single Bench after conviction and sentence of the petitioner for the offences under sections 147, 148, 452, 307, 307/149, 302, 302/149 I.P.C. and under section 4/29 of the Arms Act is not maintainable and, therefore, counsel for the petitioner seeks to withdraw the instant bail application with the liberty to file an application seeking temporary suspension of sentence under section 389 Cr.P.C. in the criminal appeal filed by the petitioner against the judgment and order of conviction before the Division Bench.

The bail application filed by the petitioner under section 439 Cr.P.C. is, therefore, dismissed as withdrawn with the liberty sought for.

(H.R.PANWAR),J.

m.asif/-